

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1121

AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 14-8-2-103 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 103. (a) "Foundation" refers to the Indiana natural resources foundation.

**(b) For purposes of IC 14-20-1, "foundation" refers to:**

**(1) the Indiana state museum foundation; or**

**(2) another nonprofit organization established to promote:**

**(A) interest in; and**

**(B) the use of;**

**the Indiana state museum system.**

SECTION 2. IC 14-9-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. Money in a fund does not revert to the state general fund at the end of a state fiscal year. ~~until the fund contains fifty thousand dollars (\$50,000). Any amount greater than fifty thousand dollars (\$50,000) reverts to the state general fund at the end of each state fiscal year.~~

SECTION 3. IC 14-9-5-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. (a) **As used in this section, "account" means the Indiana sportsmen's benevolence account established by subsection (b).**

**(b) The Indiana sportsmen's benevolence account is established within the fund for the division of law enforcement to encourage**

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citizen participation in feeding the state's hungry through donations of wild game that has been lawfully hunted.

(c) The account consists of:

- (1) gifts;
- (2) donations; and
- (3) proceeds derived from marketing by the division of law enforcement of goods related to the feeding of the state's hungry through donations of wild game under subsection (a).

(d) The expenses of administering the account shall be paid from money in the account.

(e) The division of law enforcement shall:

- (1) conduct a publicity campaign relating to feeding the state's hungry through donations of wild game;
- (2) coordinate with nonprofit entities and other entities created with goals of feeding the state's hungry; and
- (3) engage in any other activities to further the goals of this section.

(f) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

SECTION 4. IC 14-20-1-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1.5. (a) The state museum development fund is established for the purpose of promoting interest in and use of the Indiana state museum.

(b) The state museum development fund shall be administered by the department **or an entity designated by the department**. The state museum development fund consists of revenue generated by exhibit fees, concessions, donations, grants, and other miscellaneous revenue. Money in the state museum development fund at the end of a state fiscal year does not revert to the state general fund.

(c) The balance of the state museum development fund is continuously appropriated and may be used at the request of the department with the approval of the budget agency after review by the budget committee.

SECTION 5. IC 14-20-1-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2.5. **As used in this chapter, "foundation" refers to:**

- (1) the Indiana state museum foundation; or
- (2) another nonprofit organization established to promote:
  - (A) interest in; and
  - (B) the use of;

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**the Indiana state museum system.**

SECTION 6. IC 14-20-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. (a) The division consists of the following two (2) sections:

- (1) The section of museums.
- (2) The section of historic sites.

~~(b) The division director may not serve as the head of a section of the division.~~

~~(c) An individual may not serve as the head of more than one (1) section of the division.~~

~~(d)~~ (b) There must be a separate line item for each section of the division in each bill appropriating money to the division.

SECTION 7. IC 14-20-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 16. (a) The board of trustees for the division of state museums and historic sites is established.

(b) The trustees consist of thirteen (13) members as follows:

- (1) The director of the department, who shall serve as chairman.
- (2) Twelve (12) members appointed by the governor as follows:

(A) One (1) member of the Indiana State Museum ~~Society~~ **Foundation, Inc.**, nominated by the ~~Society~~ **foundation**.

~~(B) One (1) member of the Indiana State Museum Volunteers nominated by the volunteers.~~

~~(C)~~ (B) Two (2) members must be recognized supporters of historic sites.

~~(D)~~ (C) Not more than seven (7) members may be members of the same political party.

~~(E)~~ (D) Not more than two (2) members may be from the same county.

~~(F)~~ (E) Each congressional district in Indiana must be represented by at least one (1) member.

(c) The terms of the appointed members shall be staggered.

SECTION 8. IC 14-20-1-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 26. (a) The department may, by contract, delegate the management of the:**

- (1) **Indiana state museum;**
- (2) **state museum development fund; or**
- (3) **historic sites property held and managed by the department;**

**to the foundation under terms the department considers advisable.**

**(b) Under a contract entered into under subsection (a), the**

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department may:

- (1) provide office facilities and administrative support to the foundation;**
- (2) assign department employees to administrative and program duties at the state museum;**
- (3) act in an advisory capacity for the foundation; and**
- (4) accept donations on behalf of the foundation.**

SECTION 9. IC 14-22-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 2. As used in this chapter, "game bird" means pheasant, quail, grouse, **and** wild turkey. ~~and Hungarian partridge.~~

SECTION 10. IC 14-22-12-1, AS AMENDED BY P.L.14-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) The department may issue the following licenses and, except as provided in section 1.5 of this chapter and subject to subsection (b), shall charge the following minimum license fees to hunt, trap, or fish in Indiana:

- (1) A resident yearly license to fish, eight dollars and seventy-five cents (\$8.75).
- (2) A resident yearly license to hunt, eight dollars and seventy-five cents (\$8.75).
- (3) A resident yearly license to hunt and fish, thirteen dollars and seventy-five cents (\$13.75).
- (4) A resident yearly license to trap, eight dollars and seventy-five cents (\$8.75).
- (5) A nonresident yearly license to fish, twenty-four dollars and seventy-five cents (\$24.75).
- (6) A nonresident yearly license to hunt, sixty dollars and seventy-five cents (\$60.75).
- (7) A nonresident yearly license to trap, one hundred seventeen dollars and seventy-five cents (\$117.75). However, a license may not be issued to a resident of another state if that state does not give reciprocity rights to Indiana residents similar to those nonresident trapping privileges extended in Indiana.
- (8) A resident or nonresident license to fish, including for trout and salmon, for one (1) day only, four dollars and seventy-five cents (\$4.75).
- (9) A nonresident license to fish, excluding for trout and salmon, for seven (7) days only, twelve dollars and seventy-five cents (\$12.75).
- (10) A nonresident license to hunt for five (5) consecutive days only, twenty-five dollars and seventy-five cents (\$25.75).

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- (11) A resident or nonresident yearly stamp to fish for trout and salmon, six dollars and seventy-five cents (\$6.75).
- (12) A resident yearly license to take a deer with a shotgun, muzzle loading gun, **rifle**, or handgun, thirteen dollars and seventy-five cents (\$13.75).
- (13) A resident yearly license to take a deer with a muzzle loading gun, thirteen dollars and seventy-five cents (\$13.75).
- (14) A resident yearly license to take a deer with a bow and arrow, thirteen dollars and seventy-five cents (\$13.75).
- (15) A nonresident yearly license to take a deer with a shotgun, muzzle loading gun, **rifle**, or handgun, one hundred twenty dollars and seventy-five cents (\$120.75).
- (16) A nonresident yearly license to take a deer with a muzzle loading gun, one hundred twenty dollars and seventy-five cents (\$120.75).
- (17) A nonresident yearly license to take a deer with a bow and arrow, one hundred twenty dollars and seventy-five cents (\$120.75).
- (18) A resident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, five dollars (\$5).
- (19) A nonresident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, ten dollars (\$10).
- (20) A resident yearly license to take a turkey, fourteen dollars and seventy-five cents (\$14.75).
- (21) A nonresident yearly license to take a turkey, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the nonresident applicant requires that before a resident of Indiana may take turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.
- (22) ~~If a fall wild turkey season is established;~~ A resident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, fourteen dollars and seventy-five cents (\$14.75).
- (23) ~~If a fall wild turkey season is established;~~ A nonresident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the

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nonresident applicant requires that before a resident of Indiana may take a turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take a turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.

(24) A resident youth yearly consolidated license to hunt and fish, six dollars (\$6). This license is subject to the following:

(A) An applicant must be less than eighteen (18) years of age.

(B) The license is in lieu of the resident yearly license to hunt and fish and all other yearly licenses, stamps, or permits to hunt and fish for a specific species or by a specific means.

(25) A resident senior yearly license to fish, three dollars (\$3). This license is subject to the following:

(A) An applicant must be at least sixty-four (64) years of age and born after March 31, 1943.

(B) The license is in lieu of the resident yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.

(26) A resident senior "fish for life" license, seventeen dollars (\$17). This license is subject to the following:

(A) An applicant must be at least sixty-four (64) years of age and must have been born after March 31, 1943.

(B) The license applies each year for the remainder of the license holder's life.

(C) The license is in lieu of the resident senior yearly license to fish and all other yearly licenses, stamps, or permits to fish for a specific species or by a specific means.

(b) The commission may set license fees to hunt, trap, or fish above the minimum fees established under subsection (a).

SECTION 11. IC 14-22-12-5, AS AMENDED BY P.L.225-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) The department may issue a duplicate license to replace a lost license issued to an ~~Indiana resident individual~~ under sections 1 and 4 of this chapter.

(b) A duplicate license under subsection (a) must meet the following conditions:

(1) Be signed by the applicant.

(2) Be accompanied by a fee established by the commission.

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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